

STATE OF TEXAS

COUNTY OF BRAZORIA

CITY OF LAKE JACKSON

BE IT KNOWN that the Planning Commission of the City of Lake Jackson met in Regular Session on Tuesday, January 7, 2014 at 6:30 p.m. in the Council Chambers at the Lake Jackson City Hall, 25 Oak Drive, Lake Jackson, Texas with the following agenda:

Cotton Tyler, Chairman
Locke Sanders, Vice Chairman
Brenda Colegrove
Harry Sargent
David Nicks
Vicki Childress

William P. Yenne, City Manager
Dixie Roberts, Asst. City Secretary
Sal Aguirre, City Engineer
Athelstan Sanchez, Asst. City Engineer

Mayor Rinehart, City Council Liaison

PLEDGE OF ALLEGIENCE

Ms. Childress led the Pledge of Allegiance.

VISITORS COMMENTS

There were no visitors present.

APPROVAL OF MINUTES

The minutes of the December 3, 2013 meeting were approved as presented.

FINAL REVIEW AND ACTION OF THE DOW SUBDIVISION PHASE TWO , A SUBDIVISION OF 34.135 ACRES OF LAND, A REPLAT OF TRACT 2 OF THE REPLAT OF PLANTATION VILLAGE SUBDIVISION SECTION NO. 4, BLOCK NO.1; LOTS NO.1 , 2, & 3, BLOCK NO. ONE, LOTS NO.1 AND 2, BLOCK NO. 2 AND DRAINAGE RIGHTOF WAY OF THE REPLAT OF PLANTATION VILLAGE SUBDIVISION SECTION NO. 24; TRACT NO. 2 OF THE DOW SUBDIVISION; AND A PORTION OF THE ABNER JACKSON PARKWAY RIGHT OF WAY IN THE STEPHEN F. AUSTIN FIVE LEAGUES GRANT, ABSTRACT NO. 19, BRAZORIA COUNTY, TEXAS.

This is the second phase and final arrangement of the remaining undeveloped tracts of land flanking both sides of Abner Jackson Parkway between the senior apartment and the Amstate Storage facility. This is an assemblage plat that incorporates the various undeveloped tracts with existing portions of the public dedicated Abner Jackson Parkway right of way and parkway as well as drainage right-of-ways.

The total assemblage subdivision is one of 34.135 acres, a single tract and also includes the 7.01 acre tract 2 of the previous Dow Subdivision Phase One. The land has been portioned in this manner to be able to develop this according to the second phase development plan of their master plan.

On a previous action by the city council of abandonment of all public dedicated property and releasing it to the adjacent owner (Dow) through the ordinance process allowed for the preliminary review and action approval by the board at your last meeting. All minor cleanup items for final platting requirements have been met and no issues remain.

Todd Guidry, Walter P. Moore representing Core Real Estate was present for this item.

On motion by Ms. Childress second by Mr. Nicks with all present voting "aye" for final review and action of the Dow Subdivision phase two, a subdivision of 34.135 acres of land, a replat of tract 2 of the replat of

Plantation Village Subdivision Section No 4, Block No. 1: Lots No. 1, 2 &3, Block No. One, Lots No. 1 and 2, Block No. 2 and drainage right of way of the replat of Plantation Village Subdivision Section No. 24 tract no. 2 of the Dow Subdivision; and a portion of the Abner Jackson Parkway right of way in the Stephen F. Austin Five Leagues Grant, Abstract No. 19, Brazoria County, Texas contingent upon the proper signatures from the Velasco Drainage District.

PRELIMINARY REVIEW AND ACTION ON SITE PLAN OF CORE REAL ESTATE BUILDING DEVELOPMENT PHASE 2 AT ABNER JACKSON PARKWAY IN PLANTATION VILLAGE

This is the second installment by Walter P. Moore Architects civil consultants to Kirksey Architects for Core Real Estate of the phased in development of the building complex site plan to complement the administrative office recently approved. In keeping with an aggressive schedule that was set originally, this stays in close step with the timeline. This final site plan presents a 650,000 – 690,000 sq. ft. building area space plan consisting of two research and development laboratory facilities, with a central plant/warehouse all 4 story – 70+/- building height with exhaust stack to the 86' height, there also includes a 60,000 sq. ft. amenities building with all to be serviced with parking fields of approximately 920 spaces.

The site conditions are as follows;

- a) The parking count applied meets the ordinance requirements for the amenities building with no exception and applies their own space demand based on industry needs criteria for R&D and accessory plant facilities. Their function established 860 use requirement is met and exceeded with their proposed 920 parking count.*
- b) The building height of 70 ft. along with the added exhaust stack height to 86 ft. will require your special approval since it exceeds the 50 foot height limit as set in the C-1 zone conditions and which will need to be readdressed for final.*
- c) The parking field has been designed with a 26 foot fire lane ring around the building to meet the fire marshal's requirement. The building will be a fire sprinkled building and will comply with the fire codes remote FTC requirements and the parking field meets the required fire hydrant spacing coverage.*
- d) The existing public utility systems available to this site are not able to support the demands of this second phase development. The necessary upsizing of water lines and sanitary sewer line servicing the area as well as the modification to the existing systems to the limits as necessary have been committed by the city as part of the developer's agreements. This will be coming as a third phase of the development process that will include all offsite infrastructures needed to accomplish this but will not require the board's action. The existing drainage outfalls will not require major changes other than removing existing segments not fitting with the new drainage scheme of the sites.*
- e) There are 2 access drives proposed to serve the site, which connect to Abner Jackson Parkway at both ends. The main access will end at a proposed cul'd sac roundabout and the other at a called hammerhead (Tee end) both leading to the private ring road and parking facilities of the complex. At this time no decision has been made on the security fencing or gating if any of the sites. The amenities facility has a separate access connecting to the public portion of Abner Jackson with no plans for security fencing or gating. All these access modifications within public right-of-way are part of the offsite improvement arrangement.*

A 5 ft. sidewalk is being planned around the entire frontage of both street access points to the site. An internal site sidewalk system leading around all main buildings is proposed but with connection only to the main access street system. None has been proposed toward the back This Way access point.

Civil Site Package Issues:

- a. *The drainage analysis and system review is still in process and will continue to final compliance with the city's standards but are not expected to be an issue since an overview of the system and hydraulic detail follows the same conservative approach and methodology applied in the first phase.*

Mr. Todd Guidry, Walter P. Moore representing Core Real Estate was present for this item.

Mr. Nicks asked what the amenities building will house.

Mr. Guidry stated it is his understanding this will be a conference area and may also house a cafeteria.

Mr. Nicks asked about the required parking for this phase.

Mr. Aguirre stated that parking is not prescribed for in the city's code of ordinance on research buildings. Therefore it is left up to the developer with the commission's agreement as to parking requirements required for specified use. In this case they will provide 1 parking space per 1,000 sq. ft.

Mr. Guidry stated that this development will have seating capacity for about 810 occupants and will provide 920 parking spaces.

Dow Chemical is the potential tenant, but has not been finalized.

Mr. Yenne stated that if the multi story structures proposed come to pass the city will be required to purchase another ladder truck which cost approximately \$1.2M.

Mr. Sargent stated that he is concerned about the traffic that will be generated from this project.

Mr. Guidry stated that a traffic study has been completed and is currently being reviewed by TxDOT. They have discussed phasing of the traffic lights to help with the situation as well as deceleration lanes.

Ms. Colegrove asked if there were accommodations providing for bikers to commute to work.

Mr. Guidry stated that there will be accommodations made for bikers.

Mr. Aguirre stated that at this time there are no plans for security gates around the facility.

Mr. Aguirre stated that there is still a lighting concern that needs to be addressed because they back into a residential area. Any outside lighting installed at this facility will must meet the foot candles requirement as prescribed by the ordinance.

On motion by Mr. Nicks second by Mr. Sargent with all present voting "aye" for preliminary review and action on site plan of Core Real Estate Building development phase 2 at Abner Jackson Parkway in Plantation Village with an exception given to the height requirement to accommodate the 70 ft with the added 86 ft. height with the added exhaust stack 70 ft and the 86 ft. height requirement for the exhaust stacks and that the developer adheres to the requirements as prescribed for in the code of ordinances relating to outside lighting.

PRELIMINARY REVIEW AND ACTION ON LANDSCAPE PLAN OF CORE REAL ESTATE BUILDING DEVELOPMENT PHASE 2 AT ABNER JACKSON PARKWAY IN PLANTATION VILLAGE

This preliminary landscape plan is submitted without exceptions and again significantly exceeding our requirements in all aspects. As in the first phase, their LEEDS designation criterion was the foremost driver of this.

The landscaping plan conditions are as follows:

- a) A protected tree survey was prepared as required*
- b) An existing tree removal and retention plan and summary was prepared as required - 54 trees removed, 31 retained*
- c) A new landscape plan was prepared with new and retained trees exceeding ordinance requirements:*
 - i. Total site trees – 120 trees required/120 proposed plus 285 supplemental unrestricted*
 - ii. Screen trees (including above) - 1 per 30 ' frontage required/requirement met*
 - iii. Screening - continuous frontage required/ requirement met*
 - iv. Irrigation - irrigation required/auto sprinkler system proposed*
 - v. Total open landscape area – 86,300 sq. ft. (12.5%) required/716,600 sq. ft. proposed*
- d) A natural wetland landscape existing in the site will remain intact and is not considered in the landscaping tree count.*
- e) A work boundary protection barrier to include the wetland area and the existing trees to be salvaged is included.*

No issues remain for this preliminary approval.

Mr. Todd Guidry, Walter P. Moore representing Core Real Estate was present for this item.

On motion by Mr. Sanders second by Ms. Colegrove with all present voting "aye" for preliminary review and action on landscape plan of Core Real Estate Building development phase 2 at Abner Jackson Parkway in Plantation Village.

FINAL REVIEW AND ACTION OF MASTERPLAN PLAN OF CREEKSIDE ESTATES S/D (AKA OYSTER BEND SECTION 2) AND PHASE 1 PLAN

The master plan now comes under the new marketing name that the developer sprung on you at preliminary. The plan remains as originally presented with the addition of approximate 224 lots into the city's inventory. Of these 177 proposed lots are to be minimal R-2 sized with 70 ft. widths met at the building line and 120 ft. depth and 48 creek lots with longer depths. The city sought the addition of residential lots in preparation of the industrial expansion plans and improved business climate of the area. The city agreed to participate with the developer and the county to bring about this development.

The infrastructure of the development includes the critical additional access to the area that was approved by the city after a lengthy public involvement process. This led to the bridge structure across Oyster Creek and connection into a recently opened Audubon Woods Subdivision in Richwood. The costs associated with the structure are being defrayed by the county, and the City of Lake Jackson in financial agreements with the developer. The final cost has been negotiated according to the contract being processed through the county. The construction is to begin in early 2014 and possibly run concurrently with the start of the subdivision's first phase construction activities. The construction contract has been recently signed and authorized for construction but will be managed by the County. We have not been given the schedule of this work yet.

*The other principal element in this development's physical plant is the construction of a 12 acre detention pond reserve area to serve the entire developed master plan with the capacity to hold the storm water flooding events of the area to the pre-existing undeveloped condition. This will discharge along a new Oyster Creek outfall that will be gated and valved. **This new opening will have to be sanctioned and approved for maintenance by the VDD.***

The hydraulic analysis and calculations of the entire master plan have been submitted for assessment but this extensive drainage network analysis will take some time and is currently in review and discussion. The final outcome of the review may determine if any modifications to be made to this master plan before its final approval but this should not have a significant impact on it and none to the first phase.

Of particular note in this detention area, is the developer's agreement of maintaining ownership and maintenance of

*this area until final development of the subdivision when it reverts to city ownership and maintenance. The detention area has now been detailed as to its phasing plan to create a step construction sequence for cost and maintenance control in line with the development phase needs as planned. **The ownership and maintenance agreement will need to be addressed as terms of conditions for acceptance of this final plan.***

The street pattern being proposed meets the conditions imposed and agreed by all affected parties, which was to create a circuitous travel way to the bridge to discourage a cross cities traffic rat run and discourages speeding in the old neighborhood. After in depth study of the pavement design report and research by staff, a determination for upholding our current pavement standard of 8" was made and unchallenged by the developer or his design engineer. This released the development engineer to proceed with completion of the pavement construction plans and their personal contract negotiations.

The master plan utility layout of water, sewer, and storm drain systems proposed have been simplified from the first version and are now specifically detailed to provide a functional feasibility picture of all the interrelated networks and phases. The design engineer has now taken all of the city's staff comments of value to the project and client and incorporated these in the plans to everyone's satisfaction. Drainage system review remains ongoing and will be discussed and resolved to everyone's favor before meeting time.

The master plan now fulfills the park dedication requirement by setting aside 4.1 acres for this new development and an additional 1 acre for a delayed dedication from a previous approved commitment of the Oyster Bend Estates development. This encompasses a designated wetland that will continue to be safeguarded under the parks control.

Mr. Brian Fambrough, engineer for this project with the office of Randy Stroud was present for this item.

Discussion continued on the dedication of easements and parkland.

On motion by Mr. Nicks second by Mr. Sanders with all present voting "aye" for final review and action of masterplan of Creekside Estates Subdivision (AKA Oyster Bend Section 2) and PH 1 plan contingent upon drainage review and approval by the Velasco Drainage District and that the Velasco Drainage District approves ownership and maintenance of the gated valve structure and the ownership of the detention area remains under ownership of the developer until the final phase of this subdivision is complete.

FINAL REVIEW AND ACTION ON SUBDIVISION PLAT OF CREEKSIDE ESTATES S/D (AKA OYSTER BEND SECTION 2) , PHASE 1

Again, the plat comes under the new pseudonym along with changes to the street names to soothe the real estate community's marketing opinion. There will be a segment of street with a duplicate namesake (i.e. Cardinal) to have continuity with the connecting street in Richwood. There will not be a post office address assignment in this stretch so no confusion is anticipated at this time. If you have any problem with this, please make it known.

The first phase plat of the master plan is proposed for development of 54 lots and was designed in mind with the required bridge connection being made first. This street connection alignment as previously mentioned was dictated by the parties requiring making traffic flow inconvenient and control count and speed.

The lot development follows this street corridor with minimum branching to minimize development costs of this initial phase. This first phase plat lot development depends on off plat extension of the primary utility networks of water, sewer and drainage. The installation corridors of these (streets, rows, easements, reserves) and facilities, although included in the master plan, are not being included in these first phase plat but are referred as utility easements dedicated for public use by official instrument to be filed for record until formally dedicated in future phase plats.

The official dedication instruments of all needed temporary easements, and reserves not included as part of the Phase One plat have been agreed with the developer's legal counsel and are being prepared for recording. This recording data will be noted in the face of the plat prior to this plat document being recorded.

All the key requirements for final plat approval have been satisfied subject to this documentation condition being finalized. Your approval should address this condition.

Mr. Brian Fambrough, engineer for this project with the office of Randy Stroud was present for this item.

There will be infrastructure servicing requiring that easements remain under the ownership of the developer. This will be recorded and dedicated by instrument not by plat.

On motion by Mr. Sanders second by Mr. Sargent with all present voting "aye" for final review and action subdivision plat of Creekside Estates Subdivision (AKA Oyster Bend Section 2) and Phase 1 plan contingent upon obtaining necessary signatures by the Velasco Drainage District.

PRELIMINARY AND FINAL REVIEW AND ACTION ON PLAT OF DOW PUMP STATION AT TIMBERCREEK

The request for platting of this property was generated due to our development standard of all new and significantly modified existing site development requirements for an official platting of the property.

The driving reason for this is the proposed reconstruction of the long standing Dow Pump Station at Oyster Creek in Timber Creek along Lake Road. Dow Chemical proposes doing a complete makeover of new pumping and accessory improvement facility to include Oyster Creek Bank modifications.

The plat is a simple official subdivision preparation of existing survey plats and without issues for you to consider for preliminary and final approval action.

Mr. Rana Rehman with Dow Chemical was present for this item.

He stated that this project is located on Lake Road north of FM2004. The plan is to install a new pump station that will replace the 70 year old existing pump station. This project will not affect water levels of Oyster Creek or the water flowing through Lake Jackson and will support Dow Texas Operations growth in the coming years. The estimated completion date is July 2015

On motion by Mr. Nicks second by Ms. Sanders with all present voting "aye" for preliminary and final review and action on plat of Dow pump station at Timbercreek.

PRELIMINARY AND FINAL REVIEW AND ACTION ON SITE PLAN OF DOW PUMP STATION AT TIMBERCREEK

This site plan review is a unique one that we seldom if ever have handled through the board. This plan also a result of our development standard of >2 acre site review requirement, comes under uncharted territory that is being presented to you primarily for informational value and your concurrence with our treatment of it.

*This site is a reconstruction of an existing pump station that does not fall in any prescribed use within the zoning ordinance other than applying a light industrial tinge to it. Other facilities with similarities are those of public utility equipment stations and the municipal utilities. There are no occupation buildings other than electrical control room for security and maintenance purposes and the facility has minimal maintenance personnel presence in daily operations. **Our parking requirements for this are nonexistent and thus their proposed 4 spaces have been given tentative approval contingent on your concurrence.***

The site plan conditions are as follows:

- 1. New intake is being proposed with Oyster Creek Bank modifications at this new location. The new concrete structure and bulkhead with structural steel platforms/bridges and screens are being proposed have no issues with us. The hydraulic analysis and review has been approved by staff and permitting through Corp of Engineers /VDD have been processed.*

2. *New lined discharge channel is being relocated with backfilling of the existing – No issues.*
3. *New pumping, piping and electrical control are being proposed have no issue with us. A flood back flow control issue concerning valve arrangement were being addressed and its resolution being confirmed.*
4. *New pavement access drives, facility concrete aprons are being proposed. No issues other than elevation requirement to maintain a flood control continuation of the Timber creek berm. Elevation requirement maintained to 21' minimum with staffs approval.*
5. *New security fence will be erected around the entire site - No issue.*

On motion by Mr. Sanders second by Ms. Colegrove with all present voting "aye" for preliminary and final review and action on site plan of Dow pump station at Timbercreek.

PRELIMINARY AND FINAL REVIEW AND ACTION ON LANDSCAPE PLAN OF DOW PUMP STATION AT TIMBERCREEK

Due to the unique nature of this site again we fell in the uncertainty of the conditions to be followed. They have maintained a disposition of meeting with all requirements but will be processing this later through a landscape architect. We don't have issues with this but would like to get you're approval to defer this review to staff so that this can be disposed in due time for construction permit purposes and fewer delays.

This item was not ready and will be brought back at a later date.

DISCUSS AND CONSIDER THE CHOICE OF USING KENDIG KEAST OR FREEZE AND NICHOLS TO SERVE AS THE CONSULTANT FOR THE UPCOMING MASTER PLAN PROCESS

On motion by Mr. Nicks second by Mr. Sargent to recommend the use Kendig Keast to serve as the consultant for the upcoming Master Plan Process.

ITEMS OF COMMUNITY INTEREST

Mayor Rinehart thanked Mr. Tyler for his service on the Planning Commission.

SET NEXT MEETING DATE

The next meeting will be held on Tuesday February 4 at 6:30 p.m.

ADJOURN

There being no further business the meeting adjourned at 7:55 p.m.

These minutes read and approved this ____ day of _____, 2014.

Locke Sanders, Chairman

Harry Sargent, Secretary